



## Periodic Review / Retain Regulation Agency Background Document

<b>Agency name</b>	State Board of Social Services
<b>Virginia Administrative Code (VAC) citation</b>	22 VAC 40-720
<b>Regulation title</b>	Child Protective Services Release of Information to Family Advocacy Representatives of the United States Armed Forces
<b>Document preparation date</b>	August 18, 2010

This form is used when the agency has done a periodic review of a regulation and plans to retain the regulation without change. This information is required pursuant to Executive Orders 36 (2006) and 58 (1999).

### Legal basis

*Please identify the state and/or federal legal authority for the regulation, including (1) the most relevant law and/or regulation, and (2) promulgating entity, i.e., agency, board, or person.*

Section 63.2-217 of the Code of Virginia (Code) gives the State Board of Social Services (Board) the authority and responsibility to promulgate regulations for the administration of social services in the Commonwealth. Section 63.2-1503 (N) requires local departments of social services (LDSS), in accordance with Board regulations, to transmit certain Child Protective Services (CPS) information involving active duty military personnel or members of their household to family advocacy representatives of the United States Armed Forces, and allows the transmission of other information.

### Alternatives

*Please describe all viable alternatives for achieving the purpose of the existing regulation that have been considered as part of the periodic review process. Include an explanation of why such alternatives were rejected and why this regulation is the least burdensome alternative available for achieving the purpose of the regulation.*

No alternatives to the existing regulation were considered, because the Code requires LDSS, "in accordance with Board regulations," to "transmit information regarding founded complaints or family assessments...involving active duty military personnel or members of their households to family advocacy representatives of the United States Armed Forces."

**Public comment**

*Please summarize all comments received during the public comment period following the publication of the Notice of Periodic Review, and provide the agency response. Please indicate if an informal advisory group was formed for purposes of assisting in the periodic review.*

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No comments were received regarding this regulation.

**Effectiveness**

*Please indicate whether the regulation meets the criteria set out in Executive Order 36, e.g., is necessary for the protection of public health, safety, and welfare, and is clearly written and easily understandable.*

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The existing regulation meets the criteria set out in Executive Order 14 and is necessary for the protection of public health, safety, and welfare. This regulation is clearly and concisely written and easily understandable. It has no impact on existing and potential Virginia employers and their ability to maintain and increase the number of jobs in the commonwealth. There is no cost of compliance to the general public.

**Result**

*Please state that the agency is recommending that the regulation should stay in effect without change.*

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The Board recommends that this regulation stay in effect without change.

**Family impact**

*Please provide an analysis of the regulation's impact on the institution of the family and family stability.*

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This regulation is in the best interest of children in the Commonwealth who are at risk of abuse or neglect. This regulation is mandated by § 63.2-1503 (N), which requires LDSS to transmit CPS information involving active duty military personnel or members of their households to family advocacy representatives of the United States Armed Forces. Coordination between CPS and the Family Advocacy Program is intended to strengthen the family and promote family stability by facilitating identification, treatment, and service provision to military families.